

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PROJECT VERITAS ACTION)	
FUND,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 16-10462-LTS
)	
DANIEL F. CONLEY,)	
SUFFOLK COUNTY DISTRICT)	
ATTORNEY)	
)	
Defendant.)	
)	

**MOTION TO DISMISS
AND, IN THE ALTERNATIVE,
OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), the defendant, Suffolk County District Attorney Daniel Conley, moves to dismiss the Plaintiff's complaint. The Plaintiff, Project Veritas Action Fund, lacks standing to bring its complaint. Further, the claims alleged in the complaint do not state plausible grounds for relief.

In the alternative, the Defendant also opposes the Plaintiff's *Motion For A Preliminary Injunction* (Docket No. 21). The Plaintiff is not likely to succeed on the merits of its claims and the other three prongs of the applicable test do not weigh in its favor.

In further support, the Defendant relies on the accompanying Memorandum of Law.

Respectfully submitted,

For District Attorney Daniel Conley:

MAURA HEALEY
ATTORNEY GENERAL

/s/ Ryan E. Ferch

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Dated: June 24, 2016

LOCAL RULES 7.1(A)(2) CERTIFICATION

I hereby certify that I have conferred with opposing counsel and attempted in good faith to resolve or narrow these issues.

/s/ Ryan E. Ferch

Ryan E. Ferch
Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Ryan E. Ferch

Ryan E. Ferch
Assistant Attorney General